REMARKS

The Office Action of May 31, 2007 was received and carefully reviewed. The Examiner is thanked for his review and consideration of this application. Reconsideration and withdrawal of the currently pending rejections are requested for the reasons advanced in detail below.

Claims 1-22 are pending in the instant application. By this amendment, claims 1, 10 and 14 have been amended to recite features to which Applicants are entitled. Claims 2 and 15 have been canceled without prejudice or disclaimer. Thus, claims 1, 3-14 and 16-22 remain pending, of which claims 1, 10 and 14 are independent.

In the Office Action, claims 1-6, 8, 9, 14-19, 21 and 22 stand rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 6,393,401 to Loudermilk et al. (Loudermilk) in view of U.S. Patent No. 7,103,552 to Cornwell (Cornwell) and U.S. Patent No. 6,446,376 to Chan (Chan). Claims 7, 11, 13 and 20 stand rejected under 35 U.S.C. § 103(a) as being obvious over Loudermilk/Cornwell and further in view of U.S. Patent No. 5,954,514 to Haas et al. (Haas). Finally, claims 10 and 12 stand rejected under 35 U.S.C. § 103(a) as being obvious over Loudermilk in view of Cornwell.

With respect to independent claims 1, 10 and 14, the Examiner asserts that Loudermilk discloses a picture frame in which audio messages are stored under CPU control such that the audio message playback can be initiated by touching switches on the frame or a switch associated with the picture itself (col. 2, lines 45-49 of Loudermilk). The Examiner admits that Loudermilk lacks the features of an audio storage locking mechanism wherein activation will prevent any new audio to be stored over previously stored audio within the audio storage. In addition, the Examiner asserts that Cornwell teaches such features (col. 4, lines 4-37 of Cornwell). Further, the Examiner relies on Chan to reject the claimed features of moving one or more frames out of the image display. However, it appears that Chan only discloses rotational or pivotal movement and lacks any teaching of linear or translational movement as disclosed in the present application. Applicants have amended independent

claims 1, 10 and 14 to recite, *inter alia*, the features of "one or more frame selection buttons wherein activation of one of the one or more frame selection buttons displays one or more of the interior images by moving one of the one or more frames out of the image display housing by linear non-pivotal movement."

The Examiner bears the initial burden of factually supporting any *prima facie* conclusion of obviousness. *MPEP §2142*. To establish a *prima facie* case of obviousness, three criteria must be met. First, there must be some suggestion or motivation, to modify the references or to combine reference teachings. Second, there must be reasonable expectation of success. Finally, the prior art must teach all the claim limitations. *MPEP §2142*. The combined references do not teach or suggest all the claim limitations of the present application.

Applicant respectfully points to the final prong of the test, which states the prior art must teach all the claim limitations. At the very least, the combined references do not teach all of the limitations of independent claims 1, 10 and 14. Therefore, Applicants respectfully submit that Loudermilk, Cornwell, Chan and/or Haas, taken alone or in combination, fail to disclose, teach or suggest the features of one or more frame selection buttons wherein activation of one of the one or more frame selection buttons displays one or more of the interior images by moving one of the one or more frames out of the image display housing by linear non-pivotal movement, as presently claimed. Thus, it cannot be said that Loudermilk, taken alone or in any combination with Cornwell, Chan and/or Hass makes obvious the invention, as presently claimed.

The remaining dependent claims are allowable over the applied references, taken alone or in combination, on their on merits and for at least the reasons as argued above with respect to their independent claims.

In view of the foregoing, it is respectfully requested that the rejections of record be reconsidered and withdrawn by the Examiner, that claims 1, 3-14 and 16-22 be allowed and that the application be passed to issue. If a conference would expedite prosecution of the

instant application, the Examiner is hereby invited to telephone the undersigned to arrange such a conference.

Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 19-2380. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

/Sean A. Pryor, Reg. # 48103/
Sean A. Pryor

NIXON PEABODY LLP
CUSTOMER NO.: 22204
Suite 900, 401 9th Street, N.W.
Washington, D.C. 20004-2128
(202) 585-8000